

## SENTENCING MINUTES

DATE: 10/11/11 CASE NUMBER: 3:11CR21  
JUDGE: Gibney CT REPORTER: G. Halasz, OCR  
INTERPRETER: \_\_\_\_\_

UNITED STATES OF AMERICA

Michael A. Jagels, AUSA

v.

COUNSEL

Barry W. Woodbury

Matthew T. Paulk, ESQ.

SENTENCING ON COUNT(S): 1 ( ) Criminal Information  
(☒) Indictment ( ) Superseding Ind.

PRELIMINARY MATTERS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OBJECTIONS TO PSR: none; adopted as tendered  
\_\_\_\_\_  
\_\_\_\_\_

STATEMENTS MADE BY: GOV'T (☒) DEFENSE COUNSEL (☒) DEFT ( )

ON MOTION OF GOV'T, ( ) INDICTMENT ( ) REMAINING CTS. DISMISSED.

DEFENDANT TO VOLUNTARILY REPORT TO DESIGNATED INSTITUTION

ON: \_\_\_\_\_ BY: \_\_\_\_\_  
( ) IF NO DESIGNATION MADE, REPORT TO U.S. MARSHAL IN RICHMOND

DEFT ADVISED OF RIGHT OF APPEAL within 14 days of today (☒)

DEFT REMANDED TO CUSTODY (☒)

CASE SET: 9:00am BEGAN: 9:07am ENDED: 9:37am TIME IN COURT: 30 mins.

## PAGE TWO (2)

SENTENCE TEXTCOUNT 1 IMPRISONMENT 10 MOS. CONCURRENT ( ) CONSECUTIVE ( )

CREDIT FOR TIME SERVED ON THIS CHARGE (✓)

SUPERVISED RELEASE 3 YEARS

PROBATION \_\_\_\_\_ YEARS

FINE \$ \_\_\_\_\_ (✓) Fine not imposed

SPECIAL ASSESSMENT \$ 100 due immediately

COUNT \_\_\_\_\_ IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT ( ) CONSECUTIVE ( )

SUPERVISED RELEASE \_\_\_\_\_ YEARS CONCURRENT ( )

PROBATION \_\_\_\_\_ YEARS CONCURRENT ( )

FINE \$ \_\_\_\_\_ ( ) Fine not imposed

SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

COUNT \_\_\_\_\_ IMPRISONMENT \_\_\_\_\_ MOS. CONCURRENT ( ) CONSECUTIVE ( )

SUPERVISED RELEASE \_\_\_\_\_ YEARS CONCURRENT ( )

PROBATION \_\_\_\_\_ YEARS CONCURRENT ( )

FINE \$ \_\_\_\_\_ ( ) Fine not imposed

SPECIAL ASSESSMENT \$ \_\_\_\_\_ due immediately

CONSENT ORDER OF FORFEITURE MADE A PART OF JUDGMENT IN CASE (✓)

RESTITUTION ORDERED: \_\_\_\_\_

RECOMMENDATION(S) TO BOP:

- (✓) Designate dft. to a facility near family (✓) Designate dft. to Petersburg FCI *or other nearby facility*  
 ( ) SHOCK Incarceration Program ( ) BRAVE Program  
 (✓) Educational / Vocational training (✓) BOP 500-hr intensive drug treatment program, *if qualifies volunteers*  
 ( ) UNICOR program ( ) with \_\_\_\_\_ portion of earnings directed to child support  
 ( ) OTHER: \_\_\_\_\_



## PAGE THREE (3)

SPECIAL CONDITIONS of Probation / Supervised Release:

- ☒ (1) Incur no new credit without approval of probation officer  
☒ (2) Provide probation officer with access to financial information  
☐ (3) Perform community service \_\_\_\_\_ HOURS during period of supervision  
☒ (4) Participate in drug/alcohol treatment; ☒ Pay cost of treatment (+ must include drug testing)  
☒ (5) Participate in mental health treatment; ☒ Pay cost of treatment  
☒ Participate in anger management  
☐ (6) Participate in home confinement program for \_\_\_\_\_ with monitoring  
     \_\_\_\_\_ Permitted to work, attend church, or other approved activities  
     \_\_\_\_\_ Maintain telephone without special features; no cordless phone  
     \_\_\_\_\_ Pay costs of electronic monitoring  
☐ (7) Placement in a Community Confinement Center for \_\_\_\_\_ (term)  
☐ (8) Defendant to be surrendered to BICE for deportation proceedings  
     \_\_\_\_\_ If deported, defendant to remain outside the United States  
☐ (10) Mandatory drug testing waived  
     \_\_\_\_\_ Probation officer may still administer drug test if deemed appropriate  
☒ (11) Pay child support in amount ordered by social services or Court  
☐ (13) Serve intermittent confinement on weekends for a period of \_\_\_\_\_ DAYS  
☐ (14) No possession of pager, cellular telephone, or other handheld communication device  
☒ (15) Defendant shall pay any balance owed on the S/A imposed by the Court  
     ☒ Pay in installments of not less than \$ 25 per month,  
     to begin 30 60 days after start of supervision until paid in full  
☐ (16) Waive all rights of confidentiality regarding mental health treatment  
     (or other treatment) to allow release of information to Probation, etc.  
☐ (17) Commencing \_\_\_\_\_, and continuing for \_\_\_\_\_, defendant may  
     operate a motor vehicle only for purposes of work and court, including travel to  
     the Probation Office and alcohol treatment program  
☐ (18) Defendant to apply monies received from tax refunds, lottery winnings, and any  
     anticipated or unexpected financial gains to the Court-ordered financial obligation

☒ (---) Other special conditions:

- the defendant shall not consume any alcohol
- continue to work on obtaining GED & must make satisfactory progress as determined by the probation officer
- the dft shall attend 90 meetings in 90 days at AA, NA or secular equivalent that is approved by the Court
- the defendant must obtain a sponsor that will notify the probation office that he is the sponsor